E C Docket No.: 64965-054

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

re Application of

Customer Number: 20277

Shashank MERCHANT, et al.

Confirmation Number: 7187

Serial No.: 09/315,973

Group Art Unit: 26671/

Filed: May 21, 1999

Examiner: Anh Vu H Ly

For: NETWORK SWITCH WITH MULTIPLE-PORT SNIFFING

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

RECEIVED

FEB 0 5 2004

Technology Center 2600

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated October 31,

2003 of the Primary Examiner finally rejecting claims 1-6 and 14-18.

Appeal Fee: \$330.00

Not required (fee paid in prior appeal in this application).

Charge to Deposit Account No. 500417.

Check Enclosed.

02/04/2004 EFLORES 00000119 500417 09315973

Respectfully submitted,

01 FC:1401

330.00 DA

MCDERMOTT, WILL & EMERY

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Date: February 2, 2004